

## § 3200.2

*Public lands* means the general public domain lands or minerals, and acquired lands or minerals, that the United States may lease for geothermal resources.

*Record title* means legal ownership of a geothermal lease established in BLM's records.

*Relinquishment* means the lessee's action to voluntarily end the lease in whole or in part.

*Secretary* means the Secretary of the Interior or the Secretary's delegate.

*Site license* means BLM authorization to site a utilization facility on leased Federal lands.

*Stipulation* means additional conditions BLM attaches to a lease or permit.

*Sublease* means the lessee's conveyance of its interests in a lease to an operating rights owner. A sublessee is responsible for complying with all terms, conditions and stipulations of the lease.

*Subsequent well operations* are those operations done to a well after it has been drilled. Examples of subsequent well operations include: cleaning the well out, surveying it, performing well tests, chemical stimulation, running a liner or another casing string, repairing existing casing, or converting the well from a producer to an injector or vice versa.

*Sundry notice* is your written request to perform work not covered by another type of permit, or to change operations in your previously approved permit.

*Surface management agency* means any Federal agency, other than BLM, which is responsible for managing the surface overlying Federally-owned minerals.

*Temperature gradient well* means a well authorized under a geothermal exploration permit drilled in order to obtain information on the change in temperature over the depth of the well.

*Transfer* means any conveyance of an interest in a lease by assignment, sublease or otherwise.

*Unit agreement* means an agreement to explore for, produce and utilize separately owned interests in geothermal resources as a single consolidated unit. A unit agreement defines how costs

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and benefits will be allocated among the holders of interest in the unit area.

*Unit area* means all tracts committed to an approved unit agreement.

*Unit operator* means the person who has stated in writing to BLM that the interest owners of the committed leases have designated it as operator of the unit area.

*Unitized substances* means geothermal resources recovered from lands committed to a unit agreement.

*Utilization Plan*, or plan of utilization, means a plan which fully describes the utilization facility, including measures for environmental protection and mitigation.

*Waste* means:

(1) Physical waste, including refuse; and/or

(2) Improper use or unnecessary dissipation of geothermal resources through inefficient drilling, production, transmission, or utilization.

### § 3200.2 Information collection.

(a) The Office of Management and Budget approved the information collection contained in this part under 44 U.S.C. 3501 *et seq.*, and assigned clearance numbers 1004–0034, 1004–0074, 1004–0132 and 1004–0160. BLM will use this information to maintain an orderly program for leasing, development and production of Federal geothermal resources, to evaluate technical feasibility and environmental impacts of geothermal operations on Federal and Indian lands, and to determine whether exploration expenditures meet the requirements for diligence credit under 43 CFR 3210.14. The public must respond to the requests for information in order to obtain a benefit.

(b) Public reporting burden for this information is estimated to average 1.6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimates or any other aspects of this collection of information, including suggestions for reducing the burden, to Administrative Record, Bureau of Land Management, Room 401 LS, 1849 C Street, NW., Washington, DC 20240; and the Paperwork Reduction

## Bureau of Land Management, Interior

## § 3201.11

Project (1004-0160), Office of Management and Budget, Washington, DC 20503.

### § 3200.3 Changes in agency duties.

There are many leases and agreements currently in effect, and which will remain in effect, involving Federal geothermal resources leases that specifically refer to the United States Geological Survey, USGS, Minerals Management Service, MMS, or Conservation Division. These leases and agreements may also specifically refer to various officers such as Supervisor, Conservation Manager, Deputy Conservation Manager, Minerals Manager, and Deputy Minerals Manager. Those references must now be read to mean either the Bureau of Land Management or the Minerals Management Service, as appropriate. In addition, many leases and agreements specifically refer to 30 CFR part 270 or a specific section of that part. Effective December 3, 1982, references in such leases and agreements to 30 CFR part 270 should be read as references to this part 3200, which is the successor regulation to 30 CFR part 270.

### § 3200.4 What requirements must I comply with when taking any actions or conducting any operations under this part?

When you are taking any actions or conducting any operations under this part, you must comply with:

- (a) The Act and the regulations of this part;
- (b) Geothermal resource operational orders;
- (c) Notices to lessees;
- (d) Lease terms and stipulations;
- (e) Approved plans and permits;
- (f) Conditions of approval;
- (g) Verbal orders from BLM which will be confirmed in writing;
- (h) Other instructions from BLM; and
- (i) Any other applicable laws and regulations.

### § 3200.5 What are my rights of appeal?

- (a) If you are adversely affected by a BLM decision under this part, you may appeal that decision under parts 4 and 1840 of this title.
- (b) All BLM decisions or approvals under this part are immediately effective

and remain in effect while appeals are pending unless a stay is granted in accordance with 43 CFR 4.21(b).

## Subpart 3201—Available Lands

### § 3201.10 What lands are available for geothermal leasing?

(a) BLM may issue leases on:

- (1) Lands administered by the Department of the Interior, including public, withdrawn and acquired lands;
- (2) Lands administered by the Department of Agriculture with its concurrence;
- (3) Lands conveyed by the United States where the geothermal resources were reserved to the United States; and
- (4) Lands subject to section 24 of the Federal Power Act, as amended (16 U.S.C. 818), with concurrence from the Secretary of Energy.

(b) If your activities under your lease or permit might adversely affect a significant thermal feature of a National Park System unit, BLM will include stipulations to protect this thermal feature in your lease or permit. This includes when your lease or permit is issued, extended, renewed or modified.

### § 3201.11 What lands are not available for geothermal leasing?

BLM will not issue leases for:

- (a) Lands where the Secretary has determined that issuing the lease would cause unnecessary or undue degradation to public lands and resources;
- (b) Lands contained within a unit of the National Park System, or are otherwise administered by the National Park Service;
- (c) Lands within a National Recreation Area;
- (d) Lands where the Secretary determines after notice and comment that geothermal operations, including exploration, development or utilization of lands, are reasonably likely to result in a significant adverse effect on a significant thermal feature within a unit of the National Park System;
- (e) Fish hatcheries or wildlife management areas administered by the Secretary;
- (f) Indian trust or restricted lands within or outside the boundaries of Indian reservations;